Mr. Parambi Lonappen *(Irinjalakkuda)*: Sir, I would like to know whether the Presidents of the Legislative Councils or assemblies in the provinces are provided with Government cars, not car allowances.

Mr. P. Govinda Menon *(Prime Minster)*: Information that we have received is that at least in Madras this is so. The car is provided by Government.

Mr. P. Kumaran Ezhuthassan *(Vadakancheri)*: Is it provided there in the same way as here that is, oil and petrol being found by Government, chaffeur too being provided by Government?

Mr. P. Govinda Menon *(Prime Minister)*: I want notice.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Sir, I am very reluctant to do what I am constrained to do. It is nothing much. I pray, Sir, that because of the environment in which we are placed today, this Bill may be kindly taken up tomorrow so that if one is foolish enough to move any amendment or wise enough—as far as I am concerned it is foolish—to think that amendments are necessary, to give them an opprortunity to move the necessary amendments. This may be taken up tomorrow with the rider that any amendments that are found necessary may be allowed to be given notice of at a fixed time before 6 O'clock today, not 5, because we will be held up here till 5 o'clock unless something unfortunate like yesterday takes place. Time may be allowed for giving notice of amendments till 6 O'clock.

Mr. President. Is the House agreeable to the suggestion?

Mr. P. Govinda Menon *(Prime Minister)*: Sir, I think that it may be accepted.

4 The Cochin Criminal Law Amendment Bill

Mr. President: Mr. P. Kumaran Ezhuthassan will continue his speech.

***Mr. P. Kumaran Ezhuthassan** *(Vadakkancheri)*: Sir, when the Criminal Law Amendment Bill was before this House last time, I was on my legs, then the House rose while making my humble observations on the Bill. Now, Sir, it so happened that that afternoon many an Hon'ble Member both of the Ministerialist block also were not in their seats. Deterred that not me, Sir, from doing my duty of making my own observations on the Bill. In that light with your leave, Sir, I may be allowed to review as briefly as possible what took place on that day.

I belive, Sir, I have the permission and with that I submit that the Hon'ble Chief Secretary to Government who fortunately or unfortunately happened to be the sponsor of the bill just went through the literal formula laid down in our rules for the introduction of Bills, namely, "I move that the Bill be read in Council" naming the name of the Bill and very conveniently sat down in his seat. I don't blame him for resuming his seat. Foolish me, Sir, I had even to exhort the Secretary through the Hon'ble Chair by a query whether the sponsor of this important measure has no words to support it. Queried I like that, Sir, and I am glad to note that our Chief Secretary, once a gem of our judiciary, from where he was disturbed and put into another, where he might not have fitted in as before in his judiciary bench. He offered to give explanations. A legal luminary that he was and herefore presumed to continue to be, gave his reasons in support of the Bill. I can safely take, therefore, Sir, that his arguments then given in support of the Bill were the very best that he had in support of the Bill or in other words that were the strongest throbs upon which he thought the would be able to support the super-structure of this most unwanted, mischievous, repressive piece of legislation. I take his arguments to be the strongest of his arguments and said then that there is nothing new in the measure before the House. It is literally true and he said that the Bill before the House is nothing other than the promulgated Act, XVIII of 1122, the Proclamation Act promulgated on the same day in the third week of Edavam. Yes, it is nothing other than the old Proclamation, old in the sense, older than the present measure, that is XVIII of 1122. A first class ground, because what is it that is before you, something which was with you all the while, but I have deliberately used some expressions. The Proclamation Act promulgating not an Act which went to the Statute Book after due process in this House of Legislature, that will make a difference and a lot of it said he then as I said before that there is nothing new but he immediately corrected himself by saying that it is not only the old Bill but something more

*Speech not corrected by the Hon'ble Member.

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and what is here more than what is in that is, he said that an innocent section has been added, whose operative function is nothing objectionable, simply of censorship of news that will be published in the newspapers. It may be innocent. That is an addition he added and clever jurist that he is he was not satisfied of this being a reproduction of the old promulgated Act with the additional innocent censorship. He said that the Proclamation Act itself is nothing other than its elder brother, that is the lapsed Act of Cochin, Act XVI of 1119. It had, that is the Proclamation Act had for its basis the lapsed Act, an Act which is no more in force, the lapsed Act XVI of 1119 worded with the same title the same Crimnal Law Amendment Act XVI of 1119. Please also remember again, promulgated under Proclamation Act and in a context and in an environment compeletely different, much more dangerous than the environment to-day, please don't take that the environments of to-day are anything dangerous. I do not mean that the environments of to-day are anything dangerous. In a peculiar environment of these days and there is yet another feature about that, there was a time limit fixed in the Proclamation Act XVI of 1119 for its operation for a limited period unlike the attempt here which is to be on our Statute Book permanently as conceived now and there is some bad trick, Sir, about these Acts. Going on in the books once they find a place there, it will not go and attempts on driving it out of the Statute Book is almost a herculine task. Not that we do not succeed at times. So such a Proclamation Act lapsed is the basis for the present Proclamation Act of which this is a copy plus more mischief added. That is what the Hon'ble Secretary then said. Argued the Secretary then that some of the provisions, I believe sections, 12, 13, 14 and 15; I may be wrong in one of the numbers it will be 16, they are nothing but the reproduction of, what shall I say, the Press Emergency Act, the notorious Press Emergency Act of 1931 of the British India of those days, the exploiter Government of those days. That was another copy upon which he wanted, to support this measure, that is what he wanted; he thought he could succeed by saying that sections 12 to 15 of this bill are nothing but adaptations, if not reproductions of some of the most rigorous and mischievous sections—mischievous, his word is innocent sections of the Press Emergency Act XXIII of 1931. He said, as far as sections 1 to 11 are concerned that they are already in the Proclamation Act which is nothing but a reproduction of the lapsed Act plus something and that lapsed Act itself had for its support an antiquated Act of British India, XIV of 1908, a 39 year old British Indian enactment which British Indian enactments themselves underwent so many changes under the pressure of nationalist forces hammering upon their feet, wooden though they were another prob was there.

I am only giving a phraseology in my own way. Wherever I used the word repressive or mischievous the Secretary's words may be construed as innocent, from the phraseology that I used. Thus said he, Sir, that the Act XXIII of 1931, that Press Emergency Act as also the 1908 Act are still extent in the India of to-day. He was not satisfied by it. Having taken ust hus far, another prob that it is there therefore it should be here. That seems to be the trend of the argument, but he is not satisfied even with that. He told us, those empty benches, only empty benches were there, that as recently as March 1947 by which changes, revolutionary changes from 1946 have taken place there. Even recently some of the provisions were resorted to and applied by the present interim Government of India. Of course the suggestion seems to be, can there be greater support and a prob for this innocent measure which is already with you, which is only brought here to have the impress of the impramature of this House, that was the hint, and the sinister side of the hint there was one, it will not lie in the mouth of any member of this House, whatever be the working of his mind to raise his voice in opposition to the proposition that is before the House. That was the veiled hint occasional or even often foolish not to take note of this hints in spite of the hints thrown out by the Secretary. Sir, I thought it to be my inescapable duty to oppose the measure. I was obliged, even now I feel obliged to the Hon'ble spokesman of the Government for all that he said in support of the Bill because at that time as at present then served, and now serves to characterise the measure before the House as an epitom of repressive laws, wherever they can be found. That is what I said then and in support of that observation of mine which I am prepared to repeat and prove here. Now I just took the House, empty benches though they were. Section 1 is only the operative portion. Section 2 the definition Section. A small section containing only 2 definitions, very innocent words, very small words found in the English Dictionary. Then the next Clause when and how and what sort of associations are known as unlawful associations. These two definitions are there. My observation upon this definition Section is it is

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all embracing and mischievous. I did that at that time. I am giving again, and I had just taken up Section 3 which is the most operative Section the most mischievous Section as a whole. There are one or two words there, small words, on which I have very strong comments. Now as commanded by the Agenda with an Asterisk mark I have to continue from where I left my observations and let me attempt.

Now, Sir, those Hon'ble members who have taken pains to read this Bill and I am sure there will be no exception because this 10 page book was in their possession for the last 3 months and more if not earlier. It is very easy Sir, it requires no superhuman intelligence to say that this is a bill, a single Chapter Bill containing 22 Sections in all. But even a cursory glance at the bill will easily warrant the division of the whole measure into four chapters, the first taking in sections 1 to 11 dealing with unlawful associations, their properties both movable and immovable, taking in its purview moneys and securities belonging to such associations their confiscation and disposal and the punishment awardable for being a member of such unlawful associations for being the Manager or promoters thereof, and the courts and officers, competent to deal with the said offences. Chapter 2 embracing sections 12 to 15 deals with certain kinds of newspapers books and other documents, their forfeiture and detension, their searches and their prohibition and the search of premises purported to contain such matter for effecting their seizure. In the third part will come sections 16 and 17 taking power to impose censorship to the matter to be printed in newspapers, books or other documents, prohibition of printing, sale, publication, circulation distribution or possession of any matter objected to by the Government and the importation into Cochin of any such matter, section 18 prescribing the punishment to those that offend against sections 15 or 17 and section 19, laying down that whoever is in possession of such objectionable matter shall surrender the same to the officer in charge of the nearest Police Station and prescribing punishment for contravening the above direction. And in the last and fourth Chapter we have section 20 providing a double punishment for a single offence in that it lays down that the provisions of this Act shall be in addition to and not in derogation of any enactment for the time being in force, section 21 saying that offences under this Act are triable only by a 1st Class Magistrate and the last Section 22, repealing the Proclamation Act XVIII of 1122, but saving all actions thus far taken under the said promulgated Act.

Section 16 only says—what does it say—most parental action of the Government—that is a newspaper editor or any journalist or representative of such valued esteemed institution as are here permanently in this House and I am glad Sir, that a veteran of that Department has been so wisely and promptly nominated as an expert member for the consideration of this Bill. I congratulate the Government more than him because it is only a troublesome business for him to be here. It is only a sense of duty to that deity whom he was serving for the last so many years, serving as a good earnest devotee of that great deity. It is only a sense of duty that has been responsible for his being here so I am not going to congratulate him. I must sympathise with him. Why I am going to sympathise with him I will say later. I congratulate the Government in the wisdom exhibited in this matter.

Sir, I was on the sections of the repressive measure which lay down the functions of the 4th Estate, the press of the country which is the guardian of the rights, the guardian of the responsibilities, which is the guide of its future, that is the function of the 4th Estate which is to be freed, freed, Sir, from the mischievous clause of an unintelligent Government. I do not mean, Sir, that the Government of the day is anything like that. Yes, there is no use of saying that. Example is better than precept. I am hopeful, Sir, that by example you will show to-day in the context of this Bill that you are wise. I was saying that Sections 16 to 19 deal with newspapers, their censorship. Not the censor that I have attempted to bear upon Government a pre-examination before publication. What is the attitude that has been taken up by the Government spokesman the other day. You have got enough of printing space, there are persons foolish enough to send you matter. But we as parent to every son and daughter of the soil have the duty to guide you in the publication of the matter and therefore do not take the trouble of studying it, but publish only what is pleasing. You pass it on to us, we will do all that work for you—how nice a father. Employ your compositors for doing that work which is sent over to you. That sort of censorship is given and you had directions in the line of censorship given and if it is not obeyed naturally as a parent just to guide his erring son some sticks will have to be taken in love of the child. Then we reach the end of the section 16 which prescribes the punishment and the last section in the Bill namely section 19, surrender of objectionable documents. If any matter which is ordered to be published only after censorship

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and that has been disobeyed and uncensored matter also is published, if such matter is in your possession, don't keep them, but surrender it forthwith to the officer in charge of the nearest police station under section 19. That part is over. Now the last part and the fourth part. It has only 3 sections, sections 20 to 22. It again does a parental action. Instead of giving one cloth for Onam a loving father gives a present of 2 cloths. You shall be punished under this but that does not in any way prevent your being punished. Look at the solicitude of the father towards the son in giving two presents instead of one a double punishment for a single offence that is how I am going to characterise it.

Then of course comes the most important section 21, the gravity of the offence. The prevention of it is the object of this Bill. None other than a first class Magistrate will try your case. The suggestion is that the trial is going to be of an order much superior than that of that conducted by a magistrate inferior in rank to the first class Magistrate. But persons already having experience of the criminal judiciary except of course in the days of some persons who, by flex of time had to retire chamelion like things from 11 o'clock to 1 o'clock as the second class magistrate, the chamelion changes colour and from 1 o'clock first class Magistrate, same person, though he might be appointed to a post of a second-class magistrate not with his long standing at the bar, not for his office experience, but for some other relationship. After 2 months, will appear a Gazette notification that so and so, my good-boy (it will not be in the Gazette) is invested with first-class magistrate's powers. Certainly a safety, Sir. Anyhow he will feel that I am a first-class Magistrate. Even that feeling in the magistrate has something to do with the trial. I am not joking. That change from second-class, to first-class, though chamelion like it be, is much better, though there is better qualified, better equipped men and therefore sure to give better justice. Anyhow there is that safeguard viz., offence under this Act if it becomes an Act—I believe not—will be tried by only a first-class Magistrate. In all amending acts, repealing but at the same time saving it is said that the Cochin Criminal Law Amendment Act, XVIII of 1122, which I characterised as the Proclamation Act promulgated in Edavam which is repealed. But clause 2 says nothing contained in this Act during these months will be considered otherwise they are validated, so that is the position, Sir, with regard to a cursory analysis of this single-chapter bill containing 22 sections when sorted according to the subjects dealt with there.

Now, Sir, let us examine this present offer by the Government by its introduction to this Council a little more closely, what do we find? We find Sir, not minutely, but a little more closely than the cursory purview that I was giving you a few minutes ago, a closer examination will convince you, Sir, that this is nothing other than a very successful thing, very calculated thing, well-thought of rather deeply thought of thing, had the oppression of everyone of the civil liberties for which the Press stands. At least the Prime Minister of today's Cabinet has been saying that those whom he says he is following had been fighting for the establishment of that. That is the Congress, Sir, the nationalist force of India, Sir, which had been fighting for the establishment of civil liberties to every Indian irrespective of caste, colour, creed, or the area of the land where he is. They have succeeded—all glory unto them and all rejoicings unto us—in the sense that according to that gracious proclamation of His Highness read out in Medam at Trichur, the true capital of Cochin—certainly it will be changed—why do you think otherwise—we will make an attempt and succeed and the day is not far off.

As stated that is a matter of rejoicing for us read in the light in which His Highness was pleased to announce at Trichur on that memorable day on which many tons of petrol and an equally large amount of money were wasted, but the Proclamation, in spite of it, stands supreme outstanding as a beacon light. No action of mine, no word to be uttered by me will cause a Cochinite ashamed of his being a Cochinite. That is His Gracious Highness' Proclamation From there, Sir, though His Highness' action, His Highness' utterances will be very cautiously calculatedly made with the result that no Cochinite need feel ashamed of being a Cochinite, he can hold his head anywhere in India in the free India when His Highness gave utterance to it. Yes, rejoice I say, on that attempts of the Indian National Congress, the nationalistic forces of mother India for the establishment of civil liberties and Sir, with your boast, with the Prime Minister's boast, empty as I call it, that you follow that great saintly names whom you were fortunate enough to contact by your works which you have insulted by not attending the Assembly twice which is the subject matter of a question of mine later and which I am sure will not be answered though simple.

Mr. P. Govinda Menon *(Prime Minister)*: Which is the question?

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Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*) : I will pass on the information conveniently to you.

I was saying, Sir, that the empty boast of the Prime Minister, I do not blame the other three pros of his is that he and therefore through him the Cabinet follows the interim Cabinet now sitting at Delhi. But what is the difference. Is there any difference between the two. They were for so many years, even prior to 1920 starting the Civil Disobedience Movement, were fighting for long and as every good fight is sure to end in success they have succeeded to day with all the difficulties of success which are writ large on the face of that great son of India of whom every one of us feel proud.

For so many years, even prior to 1921, they were fighting, and as every good fight is sure to end in success they have succeeded today with all the difficulties of such success, writ on the face of that great son of whom every one of us feel proud. Therefore I am glad for the suggestion coming from my venerable friend. I was saying, Sir, when their fight commenced years ago for the establishment of civil liberties, you here, the cabinet here, presided over by you, Sir, by the Chief Minister—Prime Minister, with his empty boasts, what does he do—what does his Cabinet do—suppression of civil liberties. I am saying, Sir, that the upshot of all the sections here, if it becomes law, as I believe it will not, at a time, when the Cabinet of Cochin, established and working here by the goodness of the Ruler—yesterday I was interjected by a gentleman, an honourable friend, who conveniently is absent in his seat today,—nothing other than the goodness of the Ruler—the work of this Council started as early as its establishment. The first Council Proceedings will show Sir, that a petition was presented to His Highness containing the declaration of the rights of the citizens of Cochin demanding a constitution. Don't make a mistake Sir, that it is the Prajamandal's achievement—the Prajamandal alone knows to fight for freedom—don't make that empty boast.

My submission, Sir, is that in the days of a Cabinet system of Government your present attempt Sir, is in contradistinction to what has been achieved by those venerable sufferers of India. Let not the name of the Congress and the Nationalist forces of India be insulted and misinform them about the activities here. We are only striving to correct you, to lead you Sir, with a brother's affection. While Sir, when they are doing things like that and have succeeded, you impose, you are doing the very opposite especially the Prime Minister, Now, I submit what is sought through this measure.

Mr. President : Order. The Hon'ble Member has been speaking for a long time.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri) :* I will take not less than 45 minutes more, Sir.

Mr. President : Order, order, the Hon'ble Member will continue.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri) :* Thank you Sir. I was saying, Sir, that in contradistinction to the achievements of the fighters for the freedom of India, the boasters here Sir, presided over by you, headed by you and led by you—shall I say the Prime Minister—what is your achievement. As seen through this Bill, they are trying to suppress the civil liberties for the establishment of which those great sons of India had been fighting.

Choudhury G. S. Dhara Singh *(Mattancheri) :* Question, first part.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri) :* I am glad, Sir, that the young member representing Mattanchery has not depraved to the extent of questioning the other part. I would take not less than 50 minutes more, Sir, if you will permit me.

Mr. President : You want 50 minutes more!

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri) :* Yes, Sir. I want to analyse and explain every section of the Bill by citation of pronouncements of eminent jurists.

Mr.President : The Hon'ble Member has taken 45 minutes now. I am not asking you to stop. The Hon'ble Member took about the same time in the last meeting also.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri) :* Sir, I don't want monopolise, but.

Mr. Parambi Lonappen *(Irinjalakkuda) :* Sir, this is very important Bill and it should not be rushed through. In view of the importance of the subject, more time may be given.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri) :* I may say, Sir, I may take 50 minutes more, but if the Chair will not allow me....

Mr. President : It is a matter for the good sense of the Hon'ble Member.

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Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I would exercise my good sense in the best possible manner. I am on a measure, Sir..

Mr. President : The Hon'ble Member can avoid so many repetitions.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: As far as my speech is concerned, Sir, so long as I am within the bounds of parliamentary language, let me be the master of my own.

Mr. President : But in regard to that, the Chair has power to lessen repetition. Yes. the Hon'ble Member may continue.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)* 'Sir, I would then request that that portion may be deleted and I may be allowed to continue. There is provision in the rules for that. Now Sir, I shall try to brief myself as far as possible. Now Sir, in contradistinction to that, your achievement is something different. I was submitting, Sir, that your attempt through this Bill is nothing other than suppression of most valued civil liberties. In a nut-shell, the whole Bill can be characterised like that. Well, shall I inform the House what are the civil liberties-not all of them, but some of the civil liberties.—The civil liberties that are being attempted to be suppressed are liberty of association, liberty of the press, liberty to do peaceful propaganda in certain lines accepted and recognised by great men, whom you boast.

Mr. P. Govinda Menon *(Prime Minister)*: Liberty of speech is not curtailed.

Mr. P. Kumaran Ezhuthssan *(Vadakkancheri)*: I don't congratulate myself if there was any method of curtailing as you have done.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Please, my young Hon'ble Member don't disturb me. I think in spite of my age I may hit you hard.

Mr President : Order, the Hon'ble Member may continue his speech uninterrupted, in order to save time.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Liberty of doing peaceful propaganda these are the civil liberties attempted to be suppressed. Therefore I congratulate the Cabinet of the day that this Bill before the House has not been made the instrument to suppress the other liberties. Probably a time, rather an occasion may be availed of to suppress the other liberties and thereby perfect liberties as perfect good-followers of the persons the great saintly person you say that you are imitating. You perfect in the opposite direction. Therefore I thank myself for your kindness in not suppressing all civil liberties. Now, Sir, the attempt of the Hon'ble Chief Secretary to Government is that after referring to the proposition that I mentioned which the Hon'ble Chief Secretary to Government lay his hands on to support this measure after giving those references, back references, he hinted as I said before that the principle of the Bill is acceptable and that it has been accepted by persons whom the Cabinet of the day is imitating.

The purpose of this Bill is good. The only thing to be considered at this stage is the principle of the Bill. That was the suggestion that he gave, Now Sir, if the principle of the Bill is acceptable, I would not have made this attempt at troubling me more than yourself—I am sorry more than the Hon'ble Members of this House by making attempts at showing that the principle of this Bill is not acceptable. I say, Sir, that the principle of this Bill is not acceptable to me and cannot be acceptable to any in this House representatives as they are of the people whose liberties are attempted to be suppressed by this measure. This Bill cannot be acceptable to anybody and therefore my attempt Sir, is that it is the imperative duty of every Hon'ble Member sitting in this House to give this Bill the treatment that it deserves at the earliest stage viz., to throw it out. Why I stress on this question just now is that although the Hon'ble Secretary did not tell the House the other day that the Cabinet of whose spokesman he was, I don't know why it was so anyhow it was so he hinted that this Bill may well go to the Select Committee. The inference from the suggestion was Don't waste your lungs, gentlemen, now opposing this Bill; after all it may go to the Select Committee. Alright. Assume that the members of the Select Committee can cure all its defects and improve it that was the suggestion. Therefore I am sure, Sir, with that hint made on that day and with all that has passed subsequently inclusive of what took place yesterday, do you think that this Bill be allowed to be sent to the Select Committee that will be the proposition the position of the Ministerialist block today. If my suggestion is correct, whether you say "yes" just now or after, submit Sir, that subtle method of fooling, not deliberately or may be even deliberately, Hon'ble Members of this

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House who are representatives of the people whose right we have to safeguard, when an attempted suppression thereof is attempted to be made by whom-so-ever it might be, don't fall a pray to it, whether openly made or secretly made. Don't be tempted by the methods of the Ministerialist block to send this Bill to a Select Committee; don't be under the false hope that every defect of this Bill can be cured there, falling a prey to their tempting attitude be prepared for that that I make every Hon'ble Member of this House including the empty benches my submission is this. This is a Bill the principle of which being not acceptable must be thrown out and should be thrown out. And now, Sir, in such matters what is the barometer by which you measure the necessary things in such conduct. Now every piece of legislation, whether it be the agriculturist—I mean the Irrigation Act—that we just amended or the Salaries Act attempted to be amended, it is for the benefit of the subjects; I think this is the proposition. Every enactment that will find a place in the Statute Book of any Government, inclusive of semi-barbarous, I must say should be for the benefit of the subjects. And that being so our consenting to send this Bill to a Select Committee is a tying of our hands to say later on that this Bill cannot go into the Statute Book. You stand committed to the principle of the Bill. Therefore it is now, Sir, that you should examine the Bill in all its ramnifications minutely also, because when once you accept the principles of a Bill, you are tongue-tied. Later on you can only say that the defects removed by the Select Committee, if you will be pleased to do so, are not sufficient; more than that we can't say. But, Sir, there is a stage in the body whether it be in the human body or in the governing body, there is a form, Sir, which alone can be improved, or in other words there is a stage both in the human beings and in others, if it goes beyond a certain stage, no attempt at surgery even by the cleverest of Doctors, foreign or Indian, can improve it. Therefore if there are grounds to show that the stage of the body, the decayed condition of the body is at that stage it will be foolish to send it to a doctor or doctors, that is the members of the Select Committee. If you are sure that it is whimsical it behoves you Sirs, the Hon'ble Members to throw it out at this the earliest stage because of the tremendous consequences that will follow by your being a party to it. That is the subtle trick which every Government, wherever functioning, will attempt to beguile you, not deliberately, but purposely; but our watchfulness, Sir, should be such that we shall not be beguiled by such things. Therefore, Sir, that attempt should not be allowed to succeed, and in these matters as I submitted earlier, Sir, the barometer is the opinion of the people of the State, where the measure is attempted to be introduced. What is the opinion of the people of this State, what is the opinion of the people of Cochin as far as this measure, the Cochin Criminal Law (Amendment) Bill is concerned, Applying the known barometers of measuring the feelings and opinions of the public of a State. applying the known barometers, let us look at it, Sir, how people look at this measure. Now, Sir, the correct unerring barometers by which the feelings of the public on any question can be measured and almost invariably correctly is what has the Press of the State to say in the matter. Applying that, Sir, one thing in the best of tests, what do the papers of Cochin, proud Cochin that contains many a daily paper, and larger number of weeklies and a smaller number of bi-weeklies and so on—proud Cochin possessing such large number of papers—which even threatened a great man who presided over the destinies of our State, when he found that Cochin in those days had about 28 these papers at one time or the other, he said that one might be very careful in going to such a land, because he knows how to deal with the press though much against his will. Now, Sir, what does that barometer tell you. Is there one solitary paper in Cochin, Sir, dailies or weeklies, which has not registered its emphatic protest. Sir, there is one paper in Cochin which has not done anything, probably which has adopted a most objectionable attitude, but if my opinion is correct, barring that and that too for very good reasons, Sir, perhaps with that exception all the other papers in the State have registered their emphatic protest and when at the earliest opportunity not after the printing and publication of this Bill, Sir, but at the promulgation of its mischievous elder brother Act, XVIII of 1122. So the unerring barometer by which you assess the feelings of the public in any matter has shown you, Sir, in unmistakable language that thou shal retreat, thou shall not go forward, that this measure whose object is the suppression of all the liberties of the citizens, not of the suppression of the liberties of the citizen, it may probably be permissible elsewhere, but the law abiding citizens of Cochin, that is the verdict, that is the warning that the unerring barometer, the papers of the State have given you. You have not been pleased to hear that. Let us look at the next barometer, *i.e.*, the recognised associations throughout the length and breadth of the State I know, Sir, I assert, that they have passed unanimous resolutions registering their equally emphatic protest against the promulgated proclamation now attempted to be followed up, to get the impramateur, the sanction of this House. Organisations of the State have done

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[Mr. P. Kumaran Ezhuthassan]

that. Now Sir, which is the third barometer. What have the innumerable platforms of Cochin throughout its length and breadth, inclusive of yesterday's performance here shown to you. What do thinking men of the State, men prepared to serve the State, throughout the length and breadth of the land, what have they told you, Sir, from the very many platforms in unmistakable language. So many meetings attended by unusually large number of people, they have also told you that this measure shall not be allowed to go into the Statute Book, not even trouble some foolish members sitting at the table in a Select Committee consuming Government money in the shape of T.A. and D.A., even that shall not be done. It shall be buried and to use the language that I heard yesterday, although I don't approve of that, the language used was Sir, "കൊച്ചി ശ്രീമാൻ സ്വയം ഭരണത്തിൽ കഴിച്ചുമൂടണം" that is what I heard at 6-45 yesterday in a place formerly known as 'Salem mount' but recently known as "Rajendra Maidan". It is from that sanctified place, Sir, that the warning has been given yesterday, day before yesterday, on previous occasions, not by anybody, but by persons who can think; and what is the audience—not the riff-raff, but the intelligent, cultured, educated public of Cochin, as far as the reference to this place is concerned, Sir, of Ernakulam and its suburbs. I saw one Hon'ble member of this House, who fortunately or unfortunately is not in his seat now, enjoying the speech that was being made yesterday—not that all that was said there was in the context of this Bill—but it related to the decent or indecent burial that ought to be given to it. All that was a matter to be nodded, to be applauded by anyone who, as stated by His Highness the other day, need not feel ashamed of being a Cochinite. Yes, Sir, that is the opinion of the platforms of Cochin. Now I have dealt with the Press, the various associations and organisations and the Platforms of Cochin and they have all in unmistakable language expressed their emphatic protest.

The House rose for the day at 5 p.m.

P. NARAYANA SWAMI
Secretary to the Council

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